

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**Jadea J. Conte,**

**Plaintiff,**

**v.**

**Case No. 2:18-cv-903**

**The United States of America, et al.,**

**Judge Michael H. Watson**

**Defendants.**

**Magistrate Judge Vascura**

**ORDER**

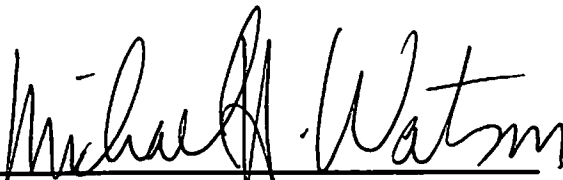
On September 4, 2018, Magistrate Judge Vascura, to whom this case was referred, issued a Report and Recommendation ("R&R"), ECF No. 5, recommending that the Court dismiss this action pursuant to 28 U.S.C. § 1915(e)(B)(ii).

The R&R advised Jadea J. Conte ("Plaintiff") of her right to file objections to the same and specifically advised that the failure to timely object would result in a waiver of the right to *de novo* review by the Undersigned as well as a waiver of the right to appeal the decision of the District Court. R&R 5–6, ECF No. 5. The time for filing objections has passed, and none were filed.

Plaintiff did file two Amended Complaints, ECF Nos. 7, 9; however, a Plaintiff cannot circumvent dismissal under § 1915 by filing an amended complaint. See *Moniz v. Hines*, 92 F. App'x 208, 212 (6th Cir. 2004) ("[A] district court may not permit a plaintiff to amend his complaint to defeat dismissal under 28 U.S.C. §1915(e)(2)." (citations omitted)).

Having received no objections, the Court **ADOPTS** the R&R, ECF No. 5, and **DISMISSES** this case. The Clerk shall remove ECF No. 5 from the Court's pending motions list.

**IT IS SO ORDERED.**

  
**MICHAEL H. WATSON, JUDGE**  
**UNITED STATES DISTRICT COURT**